UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
- -X

DELSHAH 60 NINTH, LLC,   : Civil Action No.: 20-cv-5905 (AJN)

             :

       Plaintiff,   :

             :

  -against-   :

             :

FREE PEOPLE OF PA LLC,   :

             :

       Defendant. :

- -X

NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that upon the accompanying: (1) Local Civil Rule 56.1 Statement of Material Facts in Support of Free People of PA LLC n/k/a URBN US Retail LLC's ("Free People") Motion for Summary Judgment; (2) Certification of Brian P. Morgan Pursuant to 28 U.S.C. § 1746 in Support of Free People's Motion for Summary Judgment (with exhibits); (3) Certification of Thomas Yaegel Pursuant to 28 U.S.C. § 1746 in Support of Free People's Motion for Summary Judgment; (4) Memorandum of Law in Support of Free People's Motion for Summary Judgment; and (5) all prior pleadings and proceedings in the above-captioned case, Defendant/Counterclaim Plaintiff, Free People, by and through its counsel, Faegre Drinker Biddle & Reath LLP will move this Court, at a date and time to be determined by the Honorable Alison Nathan, for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure on Counts I through IV of Plaintiff/Counterclaim Defendant Delshah 60 Ninth, LLC's ("Delshah") Second Amended Complaint, and Counts I, II, V, VII and VIII of Free People's Second Amended Counterclaims.

PLEASE TAKE FURTHER NOTICE that, in accordance with the schedule approved

by the Court on September 17, 2021, Delshah shall file and serve its opposition brief on November

17, 2021, and Free People shall file and serve its reply brief on December 17, 2021.

Dated: New York, New York
   October 18, 2021

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